THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

-

WRIT PETITION NO : 25446 of 2005

-

Dated : 30.11.2005

Between:

B.V.Sekhar Rao S/o. Rama Rao
R/o. Paravalli Palleru (P) Vevuru (M),
Tenali (Tq), Guntur District.

..... PETITIONER

AND

The Regional Manager APSRTC
Guntur Region, Guntur District and others.

.....RESPONDENTS

ORDER:

The petitioner is a driver in the APSRTC. Through proceedings, dated 09.05.2000, the third respondent removed him from service after conducting departmental enquiry. The charge against the petitioner was that he caused an accident by driving the bus in a rash and negligent manner on 02.12.1999, resulting in death of one person and injuries to another. The bus is said to have hit a tractor. The petitioner preferred an appeal before the second respondent and it was rejected. In the review filed before the first respondent, an order was passed on 31.12.2001, setting aside the order of removal from service and imposing the punishment of reduction of basic pay by two incremental stages with cumulative effect and treating the period of suspension as not on duty. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for

the respondents.

The main ground urged on behalf of the petitioner is that the petitioner was acquitted in the criminal case and that the same ought to have been taken into account by the first respondent. In fact, the record speaks for itself. It is not in dispute that on account of the accident that took place on 02.12.1999, a person died, another person sustained injuries and heavy damage was caused to the contractor. All the same, the first respondent took a lenient view, taking into account the past service of the petitioner, and imposed very meager punishment. This Court does not find any basis to interfere with the same.

Therefore, the writ petition is dismissed. There shall be no order as to costs.

_____

30.11.2005

sh